

Disc 10/26

FILE

SEP 23 2011
RC

IN THE ORLEANS PARISH CRIMINAL DISTRICT COURT
STATE OF LOUISIANA

SEP 28 AM 9:26

STATE OF LOUISIANA

v.

CLINT CARTER

Case No: 541-780
Section B
The Hon. Tracey Flemings-Davilier

FILED: _____

DEPUTY CLERK: _____

PARTICULARIZED MOTION FOR SUPPRESSION OF EVIDENCE

The Accused, by counsel, respectfully requests that this Honorable Court grant his Motion for Suppression of Evidence.

Counsel states, based on the allegations listed in the police report and displayed in other discovery as previously tendered:

1. Mr. Carter was detained, handcuffed, frisked, and searched as a direct result of invasive surveillance conducted by the New Orleans Police Department.
2. The use of such surveillance violated Mr. Carter's reasonable expectation of privacy.
3. Further, NOPD lacked reasonable suspicion to detain and frisk Mr. Carter, as the surveillance did not reveal evidence of Mr. Carter actually committing any crime.
4. Because NOPD violated Mr. Carter's Fourth Amendment rights by detaining and searching him, all evidence seized as a result, including but not limited to the brass knuckles, should be suppressed.
5. Mr. Carter reserves his right to move to suppress any additional evidence or statements should he obtain additional discovery or any other evidence tending to support a motion to suppress.

CONCLUSION

WHEREFORE, THE ACCUSED requests a hearing on his motion to suppress forthwith.

Respectfully Submitted,



Laura Bixby, La. Bar # 36379
Orleans Public Defenders
2601 Tulane Avenue, Suite 700
New Orleans, LA 70119
(504) 827-7051

